

**REMARKS**

Claims 1-10 have been rejected under 35 USC 103(a) as unpatentable over Marron in view of Kondoh. The rejection is respectfully traversed.

According to the Examiner, Marron discloses the claimed invention except for “permeability related to the surrounding space to the frequency ranges.” The Examiner notes, however, that Kondoh discloses these features. Applicant’s respectfully disagree. Rather, Kondoh simply discloses a high frequency communication device which can reduce undesired electromagnetic coupling inside and outside a box. In this regard, the high frequency device may be a receiver, transmitter and a transmitter-receiver device, and an antenna may be disposed at any position in the inside or outside of the box or on a wall surface of the box. There is, however, no teaching or suggestion of communication between the base station and the response transmitter using at least a first frequency range, and determining whether the base station and response transmitter are on a same side of the wall using a second frequency, as required by the claimed invention (as amended).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no.449122005400.

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Respectfully submitted,

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